

## Message Text

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ACTION AF-08

INFO OCT-01 ARA-06 ISO-00 CG-00 DOTE-00 CIAE-00 COME-00

DODE-00 EB-07 INR-07 JUSE-00 L-03 NSAE-00 SCA-01

SCS-03 SS-15 NSC-05 USIA-06 SAB-01 PRS-01 TRSE-00

OES-06 /070 W

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R 042131Z MAY 76

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC 7647

INFO PANCANAL

USCINCSO

AMEMBASSY DAKAR

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EO 11652: N/A

TAGS: EFIS, PFOR, PN, SG

SUBJECT: GOP SEIZURE OF NON-US FLAG VESSEL

REF: PANAMA 3018

1. EMBASSY HAS LEARNED FOLLOWING ADDITIONAL DETAILS CONCERN-  
ING SENEGALESE-FLAG VESSEL "JOFONDOR" FROM LOCAL SHIPPING  
AGENT FOR VESSEL.

2. SUBSEQUENT TO REFTTEL, "JOFONDOR" WAS BROUGHT IN FROM  
COIBA TO PANAMA CITY OVER MAY 1-2 WEEKEND, AND WAS SUBJECT  
OF GOP ADMINISTRATIVE HEARING OVER WEEKEND CONCERNING HER  
SEIZURE. AGENT STATED VESSEL WAS FOUND INNOCENT OF ANY  
CHARGE OF FISHING IN PANAMANIAN-CLAIMED WATERS, BUT THAT SHE  
WAS FINED \$3,600 FOR FAILURE TO POSSESS PANAMANIAN NAVIGATION  
PERMIT, AND AN ADDITIONAL \$500 FOR WHAT AGENT BELIEVED WAS  
A CHARGE RELATED TO IMPROPER DISPLAY OF FLAGS. AGENT STATED  
THAT ASIDE FROM RESTRICTION ATTENDANT UPON DETENTION OF SHIP,  
HE KNEW OF NO DIRECT ARREST OF ANY OF THE US-CITIZEN

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OFFICERS OF THE "JOFONDOR" (HER MASTER MAY HAVE SPENT

ONE NIGHT IN NATIONAL GUARD NAVAL ELEMENT DETENTION FACILITY ASHORE, BUT WAS NOT TAKEN TO REGULAR JAIL). AGENT DREW CHECKS FOR PAYMENT OF FINES MONDAY, MAY 3, AND VESSEL WAS RELEASED FROM CUSTODY AS SOON AS THESE WERE PAID.

3. AGENT STATED, HOWEVER, THAT CONTRARY TO EARLIER REPORTS, "JOFONDOR" WAS CLEARED FROM PORT OF PUNTA-RENAS, COSTA RICA FOR PORT OF BALBOA, CANAL ZONE AND NOT RPT NOT FOR PORT IN REPUBLIC PROPER, AS PREVIOUSLY THOUGHT. "JOFONDOR" WAS CARRYING FULL CARGO OF FISH TO BE TRANSHIPPED TO A REFRIGERATOR SHIP AT TABOGA IN REPUBLIC, BUT AGENT STATED THAT PORT CLEARANCE FROM PUNTARENAS WAS FOR BALBOA TO PERMIT BUNKERING FIRST, AFTER WHICH AGENT HAD PLANNED TO CLEAR SHIP FOR TABOGA AND, AS WOULD THEN BE NECESSARY, OBTAIN PANAMANIAN NAVIGATION PERMIT FOR HER.

4. AGENT NOTED THAT THIS WAS CASE OF SHIP CLEARLY NOT ENGAGED IN ILLEGAL FISHING WHICH WAS STOPPED, SEIZED AND FINED BY PANAMA WHILE IN TRANSIT TO CANAL ZONE. ALTHOUGH FINE WAS PAID TO PERMIT BOAT TO CONTINUE ON ITS WAY, AGENT FELT PERSONALLY THAT FINE HAD BEEN LEVIED IMPROPERLY BY PANAMA, SINCE OPERATING WITHOUT PANAMANIAN NAVIGATION PERMIT DID NOT APPEAR TO BE AN OFFENSE WHEN SHIP WAS CLEARED FOR AND WAS PROCEEDING DIRECTLY TO A PORT IN CANAL ZONE. AGENT EXPECTED THAT GOVERNMENT OF SENEGAL, AS OWNER AND FLAG OF REGISTRY OF "JOFONDOR", WOULD BE FILING PROTEST WITH GOP, AND INQUIRED WHETHER FACTS OF THIS CASE WERE SUCH THAT USG MIGHT BE DOING SAME. EMBASSY STATED ONLY THAT WE WOULD REPORT FACTS OF INCIDENT, AS AGENT RELATED THEM TO US.

5. AGENT HAS PROMISED TO SUPPLY US INFORMALLY WITH COPIES OF GOP DOCUMENTS RELATING TO ASSESSMENT OF FINE AGAINST "JOFONDOR"; COPIES WILL BE POUCHED AS SOON AS THESE ARE RECEIVED.

6. COMMENT: THIS CASE IS OBVIOUSLY NOT DIRECTLY RELATED TO THAT OF US-FLAG TUNA BOATS CURRENTLY IN LIMITED OFFICIAL USE

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DISPUTE WITH PANAMA, SINCE "JOFONDOR" WAS CLEARED OF ANY ALLEGATION OF ILLEGAL FISHING. NEVERTHELESS, IT RAISES THE QUESTION--FAR MORE DANGEROUS, FROM US POINT OF VIEW--OF WHETHER GOP CAN LEGITIMATELY SEIZE AND FINE A VESSEL IN TRANSIT TO CANAL ZONE PORT FOR NOT HAVING DOCUMENTS WHICH IT WOULD REQUIRE IF BOUND TO A PORT IN THE REPUBLIC. USG IS NOT OFFICIALLY AWARE OF THIS CASE, AS ALL OF OUR INFORMATION HAS BEEN

PROVIDED INFORMALLY BY SHIPPING AGENT DUE TO ITS  
POTENTIAL RELEVANCE TO "VOYAGER" MATTER. EMBASSY  
DEFERS TO DEPT. AS TO WHETHER, IN VIEW OF OTHER MATTERS,  
THIS SITUATION IS SERIOUS ENOUGH TO WARRANT A SPECIAL  
PROTEST FROM US BASED ON WHAT WE THUS INFORMALLY KNOW.  
END COMMENT.

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SHIP DETENTION, POLICIES, JOFONDOR F/V  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 04 MAY 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ShawDG  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976PANAMA03163  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760174-0612  
**From:** PANAMA  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1976/newtext/t19760594/aaaadccz.tel  
**Line Count:** 123  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION AF  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 PANAMA 3018  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 JUN 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 JUN 2004 by MartinML>; APPROVED <15 OCT 2004 by ShawDG>  
**Review Markings:**

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**Review Media Identifier:**  
**Review Referrals:** n/a  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** GOP SEIZURE OF NON-US FLAG VESSEL  
**TAGS:** EFIS, PFOR, PN, SG  
**To:** STATE  
**Type:** TE  
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